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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**STATE AUTOMOBILE MUTUAL  
INSURANCE COMPANY,**

**Plaintiff,**

**V.**

**WILDBERRY PANCAKES & CAFÉ III,  
Inc., an Illinois corporation, DAISY  
GABRIEL, JASMINE SAADEH, JADE  
VALLEJO, and JIHAD ABDALLAH,**

## Defendants.

**No. 21-cv-4500**

**Chief Judge Rebecca R. Pallmeyer**

**Mag. Judge Jeffrey Cole**

## PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL

Now comes the Plaintiff, State Automobile Mutual Insurance Company, by its attorney, Robert Marc Chemers of Pretzel & Stouffer, Chartered, and hereby asks this Honorable Court to voluntarily dismiss this action without prejudice, with each party to bear its own costs, as the action has been rendered moot as Defendant Wildberry Pancakes & Café III, Inc. by letter dated December 12, 2021 withdrew its tender of defense to State Automobile Mutual Insurance Company.

WHEREFORE, the Plaintiff, State Automobile Mutual Insurance Company, respectfully asks the Court to voluntarily dismiss this action as moot, without prejudice, and with each party to bear its own costs, and to deny any pending motion as moot.

Respectfully submitted:

s/ Robert Marc Chemers

Robert Marc Chemers

Bar No. 0431508

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